

**AN ORDINANCE
BY THE COMMUNITY DEVELOPMENT/
HUMAN RESOURCES COMMITTEE**

UEZ-05-12

**AN ORDINANCE TO CREATE THE "COLUMBIA SENIOR RESIDENCES@
EDGEWOOD" HOUSING ENTERPRISE ZONE, TO BE LOCATED AT
1281 Caroline Street, S.E. Atlanta, Georgia AND FOR OTHER PURPOSES**

NPU "0"

COUNCIL DISTRICT 5

WHEREAS an amendment to the Constitution of the State of Georgia was adopted by referendum in November 1982 giving the Council of the City of Atlanta power to create urban enterprise zones in the City of Atlanta; and

WHEREAS enabling legislation known as the Atlanta/Fulton County Urban Enterprise Zone Act was enacted by the Georgia General Assembly and signed by the Governor in March 1983 and subsequently amended; and

WHEREAS the Atlanta/Fulton County Urban Enterprise Zone Act gives the Council of the City of Atlanta the authority to designate areas within the City as urban enterprise zones for housing purposes if certain conditions are met; and

WHEREAS the designation of a housing enterprise zone exempts the taxable value of property within the zone only from ad valorem taxes for City purposes, but the Board of Commissioners of Fulton County, by appropriate resolution, may exempt from ad valorem taxation for County purposes the taxable value of the same property that is exempted by the City; and

WHEREAS certain types of property may be exempted, conditions must be met by owners of private property to qualify for an exemption, period, and rate of exemptions, and elections may be made by the Atlanta City Council among various types of exemptions which are specified by State law; and

WHEREAS State law provides that an exemption from ad valorem taxation for City purposes also includes, but is not limited to, school and educational purposes; and

WHEREAS the City of Atlanta Development Impact Fee Ordinance provides that, under certain conditions, the City may exempt development in urban enterprise zones from the requirement to pay development impact fees; and

WHEREAS it is the expressed intent of the Atlanta City Council to use urban enterprise zone legislation as an incentive to generate private investment in areas of the City which otherwise might not attract such investments for commercial construction and job creation purposes; and

WHEREAS the conditions and qualifications of the Atlanta/Fulton County Urban Enterprise Zone Act, as amended, have been met relative to the creation of the proposed "Columbia Senior Residences@ Edgewood" Housing Enterprise Zone;

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA,
HEREBY ORDAINS AS FOLLOWS:**

Section 1: It is found by the Council of the City of Atlanta that the area in and around the property that would be designated as the "Columbia Senior Residences@ Edgewood" Housing Enterprise Zone is economically and socially depressed. It is further found that areas such as this contribute to or cause unemployment, create an inordinate demand for public services and, in general, have a deleterious effect on the public health, safety, welfare, and morals. It is further found that these areas, as is the case with the property that would be designated as the "Columbia Senior Residences@ Edgewood" Housing Enterprise Zone, are characterized by having no investment or under-investment by private enterprise in ventures which produce jobs, trade, provision of services, and economic activities which individually and together contribute to a healthy society. This lack of private investment and activity contributes to social and economic depression in such areas. Therefore, it is in the public interest that incentives be provided to private enterprise to invest in such areas, and that such private enterprise place priority upon the employment of those residents in those economically- and socially-depressed areas designated herein as urban enterprise zones.

Section 2: The "Columbia Senior Residences@ Edgewood" Housing Enterprise Zone is hereby created for the subject property at 1281 Caroline Street, S.E. Atlanta, Georgia. The property contains 1.687 acres of land and includes the following tax parcel code number(s) 15-209C05-001. The effective date of all exemptions established therein shall be January 1, 2007. The "Columbia Senior Residences@ Edgewood" Housing Enterprise Zone shall be abolished on December 31, 2016. The "Columbia Senior Residences@ Edgewood" Housing Enterprise Zone shall otherwise not be abolished except as provided in State law. A legal description and map of The "Columbia Senior Residences@ Edgewood" Housing Enterprise Zone are attached hereto as Exhibit "A", are made a part hereof, and shall be on file in the Bureau of Planning and the Office of the Municipal Clerk.

Section 3. The "Columbia Senior Residences@ Edgewood" Housing Enterprise Zone shall be developed as a senior residential development project, which shall consist of 136 residential units. The project shall be developed in one phase(s) and shall contain 117,898 total square feet of building space. In accordance with the requirements for housing enterprise zones, 136 (100 percent) of the total 136 housing units would be designated as being "affordable" (for moderate-income residents), which would exceed the required minimum of 20 percent.

Section 4. The development of The "Columbia Senior Residences@ Edgewood" Housing Enterprise Zone shall meet or exceed the "housing affordability requirements" for urban enterprise zone designation that are defined in City Code Sections 146-52(2)a.1, 146-52(2)a.2, and 146-52(2)a.3 (per approved Ordinance #03-O-1695), which are provided below.

City Code Section 146-52(2)a.1. Twenty percent of the total units to be provided shall reflect the same ratio of housing type and bedroom composition that is proposed throughout the zone, and shall be within the ability to pay of those households whose annual income does not exceed 60 percent of the median family income for the Atlanta metropolitan statistical area as most recently published by the United States Department of Housing and Urban Development (HUD), and as adjusted for household size in accordance with HUD procedures.

The "Columbia Senior Residences@ Edgewood" Housing Enterprise Zone shall consist of 136 total units, of which 70 units shall be one-bedroom units (51%) and 66 units shall be two-bedroom units (49%). The "Columbia Senior Residences@ Edgewood" Housing Enterprise Zone shall designate 136 of the proposed 136 total units (100%) as being "affordable", which exceeds the required minimum housing

affordability provision of 20 percent of the total 136 units. Compared to the minimum housing affordability requirement of 33 total units, the "Columbia Senior Residences@ Edgewood" Housing Enterprise Zone shall designate 70 one-bedroom units, (51%) and 66 two-bedroom units (49%) as being "affordable", which exceeds the housing affordability requirements by bedroom composition.

City Code Section 146-52(2)a.2. Twenty percent of the units for sale shall reflect the same ratio of housing type and bedroom composition that is proposed throughout the zone, and shall bear purchase prices which do not exceed two and one-fifth times the median family income for the Atlanta metropolitan statistical area as most recently published by the United States Department of Housing and Urban Development.

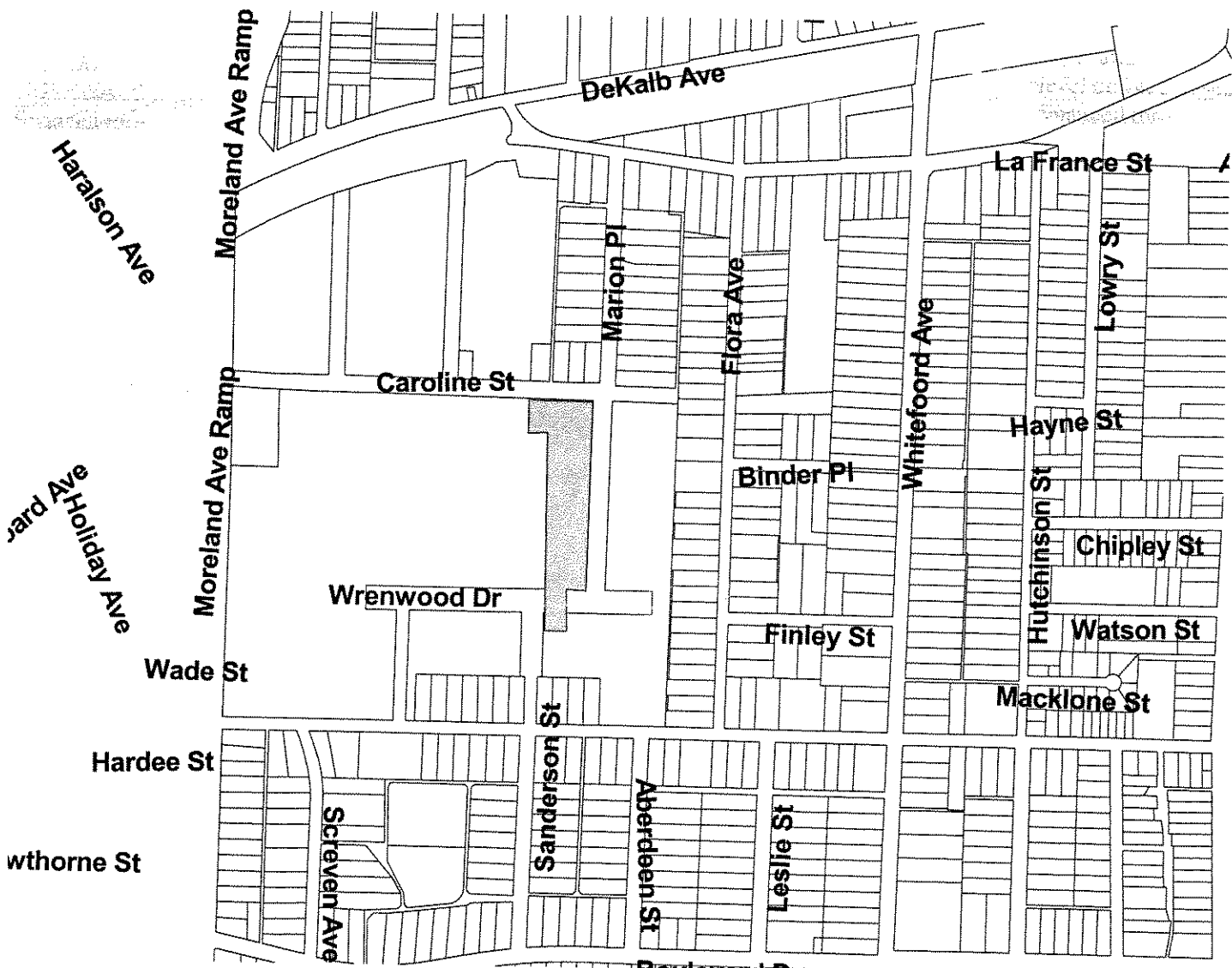
City Code Section 146-52(2)a.3. Twenty percent of the units for rent, if any, shall reflect the same ratio of housing type and bedroom composition that is proposed throughout the zone, and shall bear monthly rents which do not exceed 30 percent of the low-income level defined in section 146-52(2)a.1 or, in the case of rental housing units that are being financed through federal low-income housing tax credits, said units shall bear monthly rents which do not exceed the maximum rents prescribed in Section 42, Internal Revenue Service Code, based upon the low-income level defined in section 146-52(2)a.1.

All of the proposed housing units within the "Columbia Senior Residences@ Edgewood" Housing Enterprise Zone shall be for rent and shall reflect the same ratio of bedroom composition that is proposed throughout the zone. Further, the proposed monthly rents shall not exceed 30 percent of the low-income level defined in section 146-52(2)a.1.

Section 5: The Municipal Clerk is hereby directed to transmit a copy of this Ordinance as well as the legal description of The "Columbia Senior Residences@ Edgewood" Housing Enterprise Zone to the Tax Commissioner of Fulton County, to the Commissioner of the Department of Community Affairs of the State of Georgia, and to the Superintendent of the Atlanta Board of Education immediately upon the approval by the Mayor of the City of Atlanta.

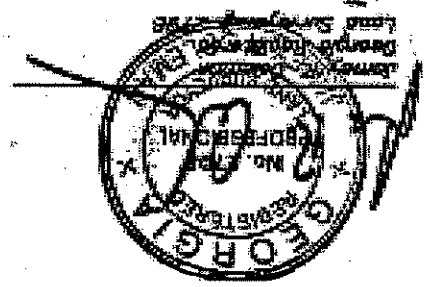
COLUMBIA SENIOR RESIDENCES @ EDGEWOOD

LOCATED AT 1281 CAROLINE STREET
DIST. 15, LAND LOT 209
COUNCIL DISTRICT 5., NPU - O



UEZ - 05 - 12





All that tract or parcel of land lying and being in Land Lot 209 of the 15th District, City of Atlanta, DeKalb County, Georgia, and being more particularly described as follows:

PROPERTY
EXHIBIT "A"

Commencing at the point of intersection of the Southern right-of-way of Caroline Street (70' right-of-way) and the existing Eastern right-of-way of Moreland Avenue (variable right-of-way); Thence along said Southern right-of-way of Caroline Street the following courses and distances: South 87 degrees 47 minutes 28 seconds East, a distance of 151.11 feet to a point; South 87 degrees 47 minutes 28 seconds East, a distance of 183.84 feet to a point; South 89 degrees 03 minutes 21 seconds East, a distance of 670.68 feet to a point; said point being the TRUE POINT OF BEGINNING. Thence continuing along said Southern right-of-way of Caroline Street (70' right-of-way) the following courses and distances: South 89 degrees 03 minutes 21 seconds East, a distance of 47.54 feet to a 3/4" iron rod found; South 89 degrees 03 minutes 57 seconds East, a distance of 122.92 feet to a point at the intersection of the Southern right-of-way of Caroline Street and the Westerly face of curb of Marion Place (Private Road per Deed Book 8293, Page 721); Thence leaving said right-of-way of Caroline Street and continuing along said face of curb of Marion Place South 01 degrees 12 minutes 29 seconds West, a distance of 613.50 feet to a point; Thence leaving said face of curb of Marion Place along a curve to the right, an arc length of 39.10 feet, said curve having a radius of 25.00 feet with a chord distance of 35.24 feet, at South 46 degrees 01 minutes 12 seconds West, to a point; Thence South 08 degrees 19 minutes 12 seconds East, a distance of 13.46 feet to a PK nail found; Thence South 00 degrees 11 minutes 32 seconds West, a distance of 99.62 feet to a 1/2" rebar found; Thence South 89 degrees 38 minutes 38 seconds West, a distance of 55.01 feet to a 1/2" rebar found; Thence North 00 degrees 20 minutes 04 seconds East, a distance of 435.20 feet to a point; Thence North 00 degrees 19 minutes 35 seconds East, a distance of 129.73 feet to a point; Thence North 89 degrees 38 minutes 56 seconds West, a distance of 83.17 feet to a point; Thence North 00 degrees 21 minutes 04 seconds East, a distance of 182.14 feet to a point located on the Southern right-of-way of Caroline Street; said point being the TRUE POINT OF BEGINNING.

Said tract of land contains 1.687 Acres, more or less.

Legislative White Paper

Committee of Purview: Community Development and Human Resources Committee

**Caption AN ORDINANCE TO CREATE THE "COLUMBIA SENIOR
RESIDENCES@EDGEWOOD ENTERPRISE ZONE TO BE LOCATED AT 1281
CAROLINE STREET, S.E. ATLANTA, GEORGIA; AND FOR OTHER PURPOSES.**
Council Meeting Date: SEPTEMBER 19, 2005

Legislation Title:

Requesting Dept.: Planning and Community Development

Contract Type:

Source Selection:

Bids/Proposals Due: n/a

Invitations Issued:

**Number of Bids/
Proposals Received: n/a**

Bidders/Proponents: n/a

Justification Statement:

**Background: The applicant seeks to create a new Urban Enterprise Zone located at 1281
Caroline Street, S.E. Atlanta.**

Fund Account Center:

Source of Funds: Private lenders and other sources.

Fiscal Impact: None

Term of Contract:

Method of Cost Recovery:

Approvals:

DOF: E. Raulo

DOL: Kristin Brooks Dennis

Prepared By: Linwood Robinson

Contact Number: x6785